

APPOINTED JUDGES IN N. Y. URGED BY TAFT

Ex-President Points Out Advisable Changes in the Constitution.

ADDRESSES THE STATE BAR

REAR ADMIRAL, Jan. 22.—The State Bar Association, which is holding its annual meeting here, listened to-night to an address by ex-President Taft, who gave his views as to advisable changes in the State Constitution that may be considered by the coming constitutional convention.

Mr. Taft congratulated the State that in the coming constitutional convention the framing of the fundamental law has been entrusted to statesmen, lawyers and business men of the first rank. He continued:

"I don't propose to spend time in a discussion of the utter lack of wisdom in destroying our most valuable representative system by the initiative and referendum, or of taking away courage, independence and opportunity for wise planning by your executive officers through a system of popular recall or the viciousness of the suggestion of recall of judges and judicial decisions, because it is quite clear, from the history of the initiative and referendum, the soundness of their views and the declarations of the party platform upon which they were elected, that of all such measures short of this it will be made should they show their heads."

"In many States the result of the nationalistic tendency has been greatly to increase the influence of public funds, enormously to increase the burden of taxation and not to accomplish what the promoters of such a policy promised."

Appointment of Judges.

"I might add that you would greatly improve your courts and your politics if you gave to the governor the power, with the consent of the Senate or the consent of the whole Legislature, to appoint your judges."

Mr. Taft explained the British parliamentary budget system and said:

"Now, cannot such a system be adopted in the State of New York? No one can deny that your expenses are increasing so rapidly that some other method than the one you have pursued must be adopted to secure a better distribution of public funds. The governor is the appointing power of all your State officers and bringing the whole State executive within his control is the first step that is to be taken."

"The Governor should prepare a State budget with the restriction that no appropriation recommended in the budget should be increased by the Legislature. Coming to the question of the guarantee of the bill of rights in the Constitution, Mr. Taft said concerning the amendment of the freedom of the press:

"It seems to me that to guarantee the guarantee of a free press might well be accompanied with a qualification enabling the Legislature to enact suitable laws to protect the administration of justice against the abuses of the press before trial."

Criminal Procedure.

As to criminal procedure, Mr. Taft said:

"I think the District Attorney might very well be visited with the responsibility of prosecution and that a system of prosecution by information is quite as likely to be free from abuse as that of the grand jury."

Ex-Judge Aaron B. Parker, president of the association, proposed in his annual address that to determine questions involving constitutional law the Court of Appeals should be expanded by calling to its assistance all the Justices of the several Appellate Divisions. The idea, which he borrowed from South Carolina, where a similar plan has worked successfully for twenty years, he hoped might be incorporated in the new New York State Constitution.

The committee on international arbitration offered resolutions urging President Wilson to submit to the next international congress the proposition of limitation of armaments both on land and sea and the establishment of an international police force.

Repeal of the prohibition against conviction of a murderer upon a plea of guilty was urged by the committee on the commitment and discharge of the criminal insane.

The nominating committee reported the following nominations: President, Alton B. Parker; Vice-President, Frederick B. Wadsworth; Secretary, Albert H. Henshaw; Treasurer, Albert Henshaw, Albany.

The meeting will close with a dinner to-morrow night.

WILL ABOLISH CLAIMS BOARD.

Human's Bill Provides That Supreme Court Handle the Cases.

ALBANY, Jan. 22.—Republican Leader Human of the Assembly introduced a bill to-day abolishing the State Board of Claims and providing that Judges of the Supreme Court handle the cases. The bill would abolish the board, which has been a net for many thousands of dollars to the State if this procedure were followed. Mr. Human believed that the board was a net for many thousands of dollars to the State if this procedure were followed.

The bill provides for the establishment of a claims division in each judicial department, to consist of not less than three Justices of the Supreme Court to be assigned by the Justices of the Appellate Division.

SHERRY LOSES \$7,000 SUIT.

Old Action Against the Late Arthur B. Prout Dismissed.

A suit started by Louis Sherry in 1907 against Arthur B. Prout, late treasurer of the Union Carbide Company and director in many gas cases, was dismissed yesterday by the Appellate Division, which means the end of litigation that outlived the defendant.

The case has been before the Appellate Division four times and before the Court of Appeals once. On the fourth and last trial the suit was dismissed and not long afterward Mr. Prout, who had appeared twice from judgments for Sherry, died. Five months later his widow, who inherited his estate of about \$1,000,000, also died.

MINISTER'S WIFE A SUICIDE.

Philadelphia, Jan. 22.—Mrs. Anna C. Sharp, wife of the Rev. Arthur B. Sharp, superintendent of the Methodist Episcopal Church at Richmond, Va., committed suicide to-day by leaping from a window on the fifth floor of the Orphan's Hospital, where she has been under treatment for nervous collapse since the first of the year and was to have returned to her home in Richmond this morning.

When Mrs. Sharp jumped from the window, she was lying in a hotel here since his wife entered the hospital, was on his way to the institution to take her to Virginia.

Wall Street Preacher Accepts Call.

The Rev. George Douglas, who has become known for his addresses at the noon-day meetings in Wall Street and who for the past seven years has been pastor of the Flushing Baptist Church, yesterday announced that he had accepted a call to the Summer Avenue Baptist Church of Brooklyn, to succeed the Rev. R. H. Hall. He will take up his new pastorate within a month. The Rev. Mr. Douglas has succeeded in building up the Flushing congregation until it is now one of the foremost congregations of the Baptist denomination on Long Island.

Frick Agent Said to Be Buying Thompson Paper

Big Steel Interests May Get Coal Acreage of Failed Union-Town Banker.

UNIONTOWN, Pa., Jan. 22.—Following the statement issued in Washington last night by Comptroller of the Currency John S. Williams scoring Josiah V. Thompson for his banking methods came a well authenticated report here to-day that a representative of H. C. Frick had been in this city for several days purchasing every available scrap of Thompson's paper that he could lay his hands on. According to the same authority this representative of the former Pittsburgh steel man now has in his possession \$500,000 of Thompson's notes.

Thompson is being pushed to the last ditch by a syndicate composed of New York and Pittsburgh financiers, according to the charges made by Thompson's friends. Developments of the last few days seem to show this, and further moves now being made by certain interests indicate that the absorption of the Uniontown banker's great coal acreage by men who now practically control the iron, steel and coke business is now near at hand.

Much depressed over his failure to borrow enough money in New York to tide him over his troubles Mr. Thompson has turned to the Uniontown banker. He gave out a statement this afternoon in which he said that the Comptroller of the Currency had conveyed the wrong impression in the statement issued from Washington in charging that he (Thompson) negotiated loans with the First National Bank to the extent of more than \$1,000,000 for himself.

A bench warrant for the arrest of Harry K. Thaw was obtained from Justice Davis in the Supreme Court Criminal Term, yesterday by William Travers Jerome and he started with it last midnight for Concord, N. H. He was arrested last night by Sheriff Hornbeck of Dutchess county and two private detectives.

FIVE DEAD IN EXPLOSION ON U. S. S. SAN DIEGO

Eight Are Also Hurt While the Cruiser Is on a Speed Trial.

WASHINGTON, Jan. 22.—Five men are dead and eight are injured as the result of a boiler explosion on the United States armored cruiser San Diego yesterday afternoon as the vessel was completing a four-hour full power speed run.

The accident was reported to the Navy Department to-day by Rear Admiral Howard, commanding the flagship, the San Diego, which was on a speed trial en route from La Paz, Lower California, to Guaymas, Mexico.

The vessel is continuing on her course to Guaymas and it is believed probable that she is at that port by this time. Admiral Howard has already ordered an investigation.

In a brief despatch Admiral Howard reported that a tube in No. 4 boiler was exploded because of low water. The investigating board will endeavor to fix the responsibility for the water in this boiler being low.

Following is the list of casualties.

Killed.

WILLIAM F. ELLIOTT, fireman, home address 466 Grand street, Brooklyn, N. Y.

ARTHUR L. HARRIS, fireman, home address 466 Grand street, Brooklyn, N. Y.

CLIFFORD A. WESTON, fireman, home address 466 Grand street, Brooklyn, N. Y.

OSCAR L. WATTS, fireman, home address 466 Grand street, Brooklyn, N. Y.

GEORGE O. H. HARRIS, fireman, home address 466 Grand street, Brooklyn, N. Y.

Seriously Injured.

RALPH B. GLIDDEN, home address 2721 Stuart street, Indianapolis, Ind.

ERNEST A. LEWIS, fireman, 1128 Chrystal place, P. O. Box 10, Cal.

PATRICK A. MERRIMAN, fireman, Wall street, N. Y.

WILLIAM H. MILLER, fireman, Downs, Kan.

CHARLES W. PETERSON, fireman, Racine, Wis.

EMANUEL A. SHAPIRO, seaman, Laporte, Ind.

BENJAMIN H. TICKER, fireman, Laporte, Ind.

DARRELL L. VARNADO, fireman, Port Arthur, Tex.

William Francis Elliott, the second class fireman killed in the boiler explosion on the cruiser San Diego, was the son of Charles Elliott of 569 Grand street, Brooklyn. He was 22 years old and ran away to enlist in the navy on April 20, 1911. Last week he wrote to his family that he would be home in April, when his enlistment would expire.

VERDICT AGAINST SUBWAY.

Woman Killed by Train Running in Wrong Direction.

By a vote of three to two the Appellate Division of the Supreme Court decided yesterday that the Interborough Rapid Transit Company is responsible for the death of a young woman who was killed by a train running in the wrong direction while she was leaning over the platform looking for a train from the other way.

The young woman killed was Miss Virginia Avey, a stenographer, and suit was started in behalf of her mother, two brothers and five sisters for \$25,000 damages.

The testimony showed that on January 22, 1911, there had been a subway block and the company was operating trains bound downtown on the uptown track. The platform was not guarded and there was no warning given to passengers.

The suit was dismissed in the lower court on the ground that the young woman was guilty of contributory negligence because she leaned over the platform without the company's permission. The Appellate Division reversed the judgment and a new trial is ordered on the ground that "as to the defendant's negligence in running without a guard and the revenue way of the road past a platform crowded with passengers there seems to be little question."

GIFFORD TRIAL DRAGS.

Case Against Youth Still Appears to Be Circumstantial.

ALBANY, Jan. 22.—The jury which will pass upon the fate of Michael Gifford, charged with murdering a local chauffeur, will be completed to-morrow, and the District Attorney will make his charge on Monday morning. The trial is expected to last a week or ten days.

That the State's case is still purely circumstantial is indicated by the questions asked prospective jurors by the District Attorney, who is seeking men who would "convict upon strong circumstantial evidence."

Dozens of men were excused because of settled views regarding the case.

COMPENSATION FUND NEEDED.

Gov. Whitman Will Urge Appropriation of \$500,000 at Once.

ALBANY, Jan. 22.—The funds of the State Workmen's Compensation Commission are so nearly exhausted that it will be necessary for Gov. Whitman to make urgent requisition for the continuance of the work. The commission has about enough money to last until February 1.

The Governor expects to send a message to the Legislature urging an appropriation sufficient to carry the commission over until the next fiscal year. At least \$500,000 will be necessary.

Jerome and Hornbeck Will Get Thaw To-Day

Prisoner Says He Refused Many Chances He Had to Escape in Manchester.

MANCHESTER, N. H., Jan. 22.—Harry K. Thaw broke the silence he has maintained since the decree of the United States Supreme Court by saying that he has had many chances for escape since he came to Manchester, but would not avail himself of them.

Thaw will start to-morrow morning at 9:34 o'clock for Concord, eighteen miles north of here, where he will appear before the United States District Court. William T. Jerome of New York will go straight through to Concord and present the opinion of the United States Supreme Court.

Judge Aldrich, it is anticipated, will then withdraw his writ of habeas corpus and will order that the extradition papers signed by the then Governor, Samuel D. Parker, be executed. Thaw will pass into the custody of the New Hampshire officials, who will turn him over to Sheriff Hornbeck of Dutchess county, who has a warrant for Thaw's arrest from Supreme Justice Duffie.

The proceedings will be brief and it is probable that the party will start for Boston either at noon or at 2:30 o'clock. Thaw, who has been in the custody of Boston and others to act as his bodyguard.

A bench warrant for the arrest of Harry K. Thaw was obtained from Justice Davis in the Supreme Court Criminal Term, yesterday by William Travers Jerome and he started with it last midnight for Concord, N. H. He was arrested last night by Sheriff Hornbeck of Dutchess county and two private detectives.

Mr. Jerome said there would be no skulking proceedings on the part of Harry K. Thaw. He would go to the trial in the morning and would stay in the morning. Thaw will keep in touch with the Clerk of the Court, William N. Penney, after the event of Thaw's return and an application is made for bail. The Attorney-General's office, through Mr. Jerome, will oppose the admission of Thaw to bail. Thaw would be moved at an early date, possibly the last of next week.

Thaw was indicted on the conspiracy charge on October 23. He was indicted with him are Richard J. Butler, Eugene Duffy, Michael O'Keefe, Thomas Flood and Roger Thompson. All are now out on bail except Thaw, who was arrested on the charge of having never been arrested.

The original commitment of Thaw to the Maternal asylum by the order of the United States District Court for the District of Massachusetts was signed February 1, 1908.

BREWERY MAN BOUGHT VOTERS.

Danville Wines Will Tell of Sales at \$1 and \$2 Each.

DANVILLE, Ill., Jan. 22.—McClawley Baird, assistant United States District Attorney, arrived here to-day to assist in the Federal vote fraud investigation. He came in answer to a telegram from District Attorney Karsch. The investigators of the Department of Justice are expected to arrive here to-morrow.

Three men who have taken an active part in the purchase and sale of votes will give information on Monday relative to the sale of votes at \$1 and \$2 each, according to information given to-day by District Attorney Karsch. They would tell of the sale of their votes to a brewery agent.

It is reported that many witnesses in Paris, Ill., are anxious to give data accumulated at a mass meeting of citizens.

HAFFNERS ARE INDICTED.

Mother of Abandoned Children Expected to Be Freed.

After being informed in the Tonah yesterday afternoon that she and her husband had been indicted for abandoning their two children, Mrs. George Haffner declared, "I believe I will be saved from prison by the force of public sentiment." Her husband, George Frederick Haffner, has also been indicted on the same crime. Both will be arraigned before Judge Rosakowsky on Monday. District Attorney Perkins said last night that it was his intention to push the cases to a speedy trial.

No. 22 street was the scene of the crime. The children, Richard and Jimmy, were in the ante-room of the Grand Jury room, but only Richard was called for. He was merely an exhibit in the case, being too young to be questioned.

WINTER RESORTS.

NEW JERSEY—Atlantic City.

With Atlantic City so easy of access, either by rail or by road, this famous winter resort is available to all. The business man who has his family may enjoy all the charms of this delightful seashore city and yet keep easily in touch with his business duties.

The best place for children in the winter will furnish full information, rates, etc., on application.

Hotel Dennis, Atlantic City, N. J., is the only hotel in Atlantic City that has a full and complete winter resort. It is the only hotel in Atlantic City that has a full and complete winter resort. It is the only hotel in Atlantic City that has a full and complete winter resort.

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\$101,000,000 ARMY BILL PASSES HOUSE

Gardner Fails to Get Larger Appropriations for Defence Purposes.

WASHINGTON, Jan. 22.—The military appropriation bill, carrying about \$101,000,000 for the maintenance of the War Department in the new fiscal year, was passed by the House to-day. Every effort made by Representative Gardner and others to get larger appropriations for defence purposes was defeated.

In face of the opposition of Chairman Hay the House adopted an amendment presented by Representative Tamm of Illinois. This provides that field artillery ammunition for the militia to the value of \$2,000,000, authorized by the bill, shall be manufactured by the Government instead of private corporations as heretofore. Mr. Tamm argued that private interests had overcharged the Government for ammunition and that the time was opportune for the Government to embark on a policy of making a larger share of its ammunition.

Chairman Hay impressed on the House time and again that in preparing the army bill the Military Committee had followed with scrupulous care the estimates submitted by the Secretary of War. Mr. Tamm argued that private interests had overcharged the Government for ammunition and that the time was opportune for the Government to embark on a policy of making a larger share of its ammunition.

"Then it is possible for the committee at times to authorize appropriations not called for by the Secretary of War."

The temper of the House on the military bill was strikingly shown in the vote on the motion made by Mr. Gardner that the appropriation for army aircraft be increased from \$600,000 to \$1,000,000. This motion was defeated by a vote of 253 to 34.

REPORT ARMY INCREASE BILLS. One Senate Measure Carries \$10,450,000 for States' Militia.

WASHINGTON, Jan. 22.—Two of the bills recommended by Secretary Garrison for increasing the strength of the army were reported to-day by the Senate Committee on Military Affairs of the Senate to-day.

One bill, to increase the actual strength of the militia army up to its maximum authorized strength, contemplates the enlistment of about 20,000 additional men and the increase of officers by 1,000. The other bill reorganizes the militia into the regular militia, to consist of the regular militia, organized by the States and Territories, and the unorganized militia, to be made up of all other organizations.

The bill divides the organized militia into "active" and "reserve." It contemplates the organization of the militia on the basis of the regular army and provides an annual appropriation of \$16,450,000 to provide for Federal and State Territories, and the unorganized militia, to be made up of all other organizations.

MARKET BILL HEARING STORMY. Measure Is Sent Back to Food Committee for Changes.

So many and so violent were the protests against the proposed bill creating a city Department of Markets in a hearing at City Hall